

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED

In re Patent Application of: **CHEN et al.**

Attorney Docket Number: 73-852

APPLICATION No.: 09/190,208

FILED: November 13, 1998

TITLE: **METHOD AND APPARATUS FOR REGULARIZING
MEASURED HRTF FOR SMOOTH 3D DIGITAL
AUDIO**

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Attention: Box Missing Parts

**ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**

SIR:

In response to the Notice to File Missing Parts of Application Filing Date Granted dated December 3, 1998, the Applicant submits herewith the following papers in response relating to the above-captioned application for patent:

Declaration and Power of Attorney - 4 pages.

Substitute Specification (including claims and abstract) - 15 pages

Marked up copy of Specification (including claims and abstract) - 18 pages

No new claims are added herein. Thus, no additional claim fee is due.

Petition for Extension of Time under 37 C.F.R. 1.136(a) Applicant hereby petitions the Commissioner for an **two month** extension of time to file a respond under 37 C.F.R. 1.136(a) in the above identified application. The petition fee in the amount of **\$380.00** is enclosed.

The commissioner is hereby authorized to charge any additional fees required under 37 C.F.R. 1.16 or any patent application processing fees under 37 C.F.R. 1.17 associated with this communication, or credit any overpayment to **Deposit Account No. 12-2325 under order No. CHEN-3-1.**

Respectfully submitted,

William H. Bollman

Reg. No.: 36,457

Attorney for Applicant(s)

Date: April 8, 1999

**Farkas & Manelli, PLLC
2000 M Street, N.W. Suite 700
Washington, DC 20036-3307
(202) 261-1020**

04/12/1999 SARAYA 0000039 122325 110.00 CH
01 FC:115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

CHEN

Serial No. 09/190,208

Filed: November 13, 1998

Title: METHOD AND APPARATUS FOR
PROCESSING INTERAURAL TIME
DELAY IN 3D DIGITAL AUDIO



Group Art Unit: unknown

Examiner: unknown

Client Reference: CHEN 3-1

Attorney Docket: 73-852

April 8, 1999

SUBSTITUTE SPECIFICATION UNDER 37 CFR 1.125 AND
CLAIM OF PRIORITY

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

Submitted, herewith, is a substitute specification for 09/190,208 and a marked up copy of the original specification. The substitute specification contains no new matter.

Claim of Priority

The Applicant hereby claims priority to the following co-pending application under 35 U.S.C. §120:

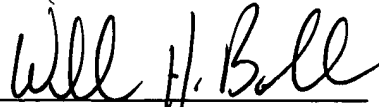
Application No. 09/191,179, entitled "Method and Apparatus for Regular Rising Measured HTRF for Smooth 3D Digital Audio", filed November 14, 1998, now pending.

The specification of the present application is amended to contain a specific reference to the co-pending application as required by 35 U.S.C. §120.

09/190,208 to Chen et al.
April 8, 1999

An early and favorable action is requested on the merits is earnestly solicited.

Respectfully submitted,
FARKAS & MANELLI, PLLC

A handwritten signature in cursive script, appearing to read "Will H. Bollman", written over a horizontal line.

William H. Bollman
Reg. No.: 36,457
Tel. (202) 261-1020
Fax. (202) 887-0336

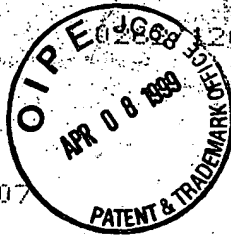
2000 M Street, N.W. 7th Floor
Washington D.C. 20036-3307



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER 2097130, 208	FILING/RECEIPT DATE 11/13/98	FIRST NAMED APPLICANT CHEN	ATTORNEY DOCKET NO./TITLE J CHEN3-1
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JUN 24 1999

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DATE MAILED:

12/08/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202